

ZB# 00-62-A

Helen Stortecky

16-2-4

#80-62A-1 Hordecky, Helen

#16-2-4 Interp.

Melvin.

Dec. 11, 2000.

No action required

bd. deems that

structure is a

single - fam. house.

APPLICATION FEE (DUE AT TIME OF FILING OF APPLICATION)

APPLICANT: _____ **FILE#** _____

RESIDENTIAL: \$50.00 **COMMERCIAL:** \$150.00
INTERPRETATION: \$150.00

AREA _____ **USE** _____

APPLICATION FOR VARIANCE FEE \$ _____

* * *

ESCROW DEPOSIT FOR CONSULTANT FEES \$ _____

DISBURSEMENTS:

STENOGRAPHER CHARGES: \$4.50 PER PAGE

PRELIMINARY MEETING-PER PAGE \$ _____
2ND PRELIMINARY- PER PAGE \$ _____
3RD PRELIMINARY- PER PAGE \$ _____
PUBLIC HEARING - PER PAGE \$ _____
PUBLIC HEARING (CONT'D) PER PAGE \$ _____
TOTAL \$ _____

ATTORNEY'S FEES: \$35.00 PER MEEETING

PRELIM. MEETING: \$ _____
2ND PRELIM. \$ _____
3RD PRELIM. \$ _____
PUBLIC HEARING. \$ _____
PUBLIC HEARING (CONT'D) \$ _____
TOTAL \$ _____

MISC. CHARGES:

_____ \$ _____
TOTAL \$ _____

LESS ESCROW DEPOSIT \$ _____
(ADDL CHARGES DUE) \$ _____
REFUND DUE TO APPLICANT .. \$ _____

1/30/

**TOWN HALL, 555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553**

Frances Roth
100 N. Drury Lane
Newburgh, N.Y. 12550

[illegible]

STORTECKY, HELEN

MR. NUGENT: Request for ruling regarding existing finished basement at 3 Lucas Drive in an R-4 zone.

Mr. Rick D'Adio appeared before the board for this proposal.

MR. D'ADIO: My name is Rick D'Adio, I'm speaking on behalf of Helen Stortecky, my mother-in-law. Helen currently resides at 3 Lucas Drive, she's in the process of selling her home, she's moving into senior citizen housing up in the Troy area. Obviously, the inspector came over and found a second kitchen down in the basement and that needs some explanation. My father-in-law about 20 years ago had his kitchen redone and took all of the appliances out of his kitchen put them down in the basement and hooked them up down there to use as a summer kitchen. They did some canning down there and they did their cooking down there cause it was a little cooler. The inspector saw that and decided that it was a two-family dwelling and from my understanding, we were to come here and have you declare that house a single family dwelling. It was never two-family dwelling. I don't anticipate that the new owners will use it as a two-family dwelling. The stove which hasn't worked in the past 10 or 12 years has already been removed, the refrigerator that sits down there hasn't even been plugged in since his death 11 years ago. There's no outside entrance to get in down there and hopefully, that can happen. I don't know what else to base any comments on, just hopefully that someone, my father-in-law brought that downstairs and it became like a summer kitchen, it's the only thing I can explain to you.

MR. NUGENT: Rick, is there a bathroom down there?

MR. D'ADIO: Yes.

MR. NUGENT: No outside entrance, Mike?

MR. D'ADIO: No.

MR. NUGENT: Only one meter on the house?

MR. D'ADIO: Yes.

MR. NUGENT: I don't believe that this was a, plus the fact that Mark Stortecky was a member of this board.

MS. CORSETTI: He was a member of the board.

MR. D'ADIO: He sat in your chair.

MR. NUGENT: Twenty some years ago. I think that it's up to you guys, but I don't really think it was intended to be a second.

MR. TORLEY: No, I do want to say that we applaud the inspectors for being on the ball, looking for things like that because illegal two families have been a problem here.

MR. D'ADIO: Your inspector acted very professionally, he came down and explained the reasoning behind the whole thing, he did, he was fair in his judgment, there was no, he's correct in making, in doing what he did.

MR. TORLEY: Do we need a motion on this?

MR. REIS: I don't think so.

MR. KRIEGER: Well, the question is if they had, do they have a violation written?

MR. BABCOCK: Not to my knowledge, no, I think they have, we found this, what we thought or whoever was there, I'm not sure when.

MR. D'ADIO: Mr. Lisi.

MR. BABCOCK: He thought that it was a two-family house, said we want to get this straightened out now before it goes any farther, they're here tonight to do that so there was no violation.

MR. KRIEGER: Provided there's no paperwork then no, you don't. If there were, then yes, you would have to.

December 11, 2000

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MR. TORLEY: Was there a problem if we do and there isn't paperwork, just to make sure this gentleman doesn't get held up?

MR. BABCOCK: We'd like to have something on record so we can put it in the file.

MR. TORLEY: I would move that the record indicates that has been and continues to be a single family house and the extra appliances are there for the convenience of the owner.

MR. MC DONALD: Second it.

ROLL CALL

MR. TORLEY	AYE
MR. MC DONALD	AYE
MR. REIS	AYE
MR. NUGENT	AYE

OFFICE OF THE BUILDING INSPECTOR
TOWN OF NEW WINDSOR
ORANGE COUNTY, NEW YORK

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

APPLICANT IS TO PLEASE CONTACT THE ZONING BOARD SECRETARY AT (914) 563-4630 TO MAKE AN APPOINTMENT WITH THE ZONING BOARD OF APPEALS.

DATE: 12/6/00

APPLICANT: Helen Stortecky
3 Lucas Drive
New Windsor, NY 12553

COPY

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATE:

FOR : Existing Basement Apartment

LOCATED AT: 3 Lucas Drive

ZONE: R-4 SEC/BLK/LOT: 16-2-4

DESCRIPTION OF EXISTING SITE: Existing one family house with basement apartment

IS DISAPPROVED ON THE FOLLOWING GROUNDS:

1. Existing finished basement apartment not permitted in an R-4 one family zone.


BUILDING INSPECTOR

PERMITTED One family

PROPOSED OR
AVAILABLE:

VARIANCE
REQUEST:

ZONE: R-4 USE: A-8 Bulk tables

MIN. LOT AREA:

MIN LOT WIDTH:

REQ=D.. FRONT YD:

REQ=D. SIDE YD:

REQD. TOTAL SIDE YD:

REQ=D REAR YD:

REQ=D FRONTAGE:

MAX. BLDG. HT.:

FLOOR AREA RATIO:

MIN. LIVABLE AREA:

DEV. COVERAGE:

cc: Z.B.A., APPLICANT, FILE .W/ ATTACHED MAP

PLEASE ALLOW FIVE TO TEN DAYS TO PROCESS
IMPORTANT
YOU MUST CALL FOR ALL REQUIRED INSPECTIONS OF CONSTRUCTION

Other inspections will be made in most cases but those listed below must be made or Certificate of Occupancy may be withheld. Do not mistake an unscheduled inspection for one of those listed below. Unless an inspection report is left on the job indicating approval of one of these inspections it has not been approved and it is improper to continue beyond that point in the work. Any disapproved work must be reinspected after correction.

RECEIVED

NOV 2 2000

Town of New Windsor Bldg. Dept.

1. When excavating is complete and footing forms are in place (before pouring.)
2. Foundation inspection. Check here for waterproofing and footing drains.
3. Inspect gravel base under concrete floors and underslab plumbing.
4. When framing, rough plumbing, rough electric and before being covered.
5. Insulation.
6. Final inspection for Certificate of Occupancy. Have on hand electrical inspection data and final certified plot plan. Building is to be completed at this time. Well water test required and engineer's certification letter for septic system required.
7. Driveway inspection must meet approval of Town Highway Superintendent. A driveway bond may be required.
8. \$50.00 charge for any site that calls for the inspection twice.
9. Call 24 hours in advance, with permit number, to schedule inspection.
10. There will be no inspections unless yellow permit card is posted.
11. Sewer permits must be obtained along with building permits for new houses.
12. Septic permit must be submitted with engineer's drawing and perc test.
13. Road opening permits must be obtained from Town Clerk's office.
14. All building permits will need a Certificate of Occupancy or a Certificate of Compliance and here is no fee for this.

FOR OFFICE USE ONLY:

Building Permit #: 2000-1188
1187

AFFIDAVIT OF OWNERSHIP AND/OR CONTRACTOR'S COMP & LIABILITY INSURANCE CERTIFICATE
REQUIRED BEFORE PERMIT WILL BE ISSUED

PLEASE PRINT CLEARLY - FILL OUT ALL INFORMATION WHICH APPLIES TO YOU

X Owner of Premises Helen L. Stantecky

X Address 3 Lucas Drive Phone 845 562-6471

X Mailing Address New Windsor, NY 12553

Name of Architect _____

Address _____ Phone _____

Name of Contractor _____

Call
Joan
Daughter
564-2118

Address _____ Phone _____

State whether applicant is owner, lessee, agent, architect, engineer or builder _____

If applicant is a corporation, signature of duly authorized officer _____
(Name and title of corporate officer)

1. On what street is property located? On the _____ side of _____
(N,S,E or W)
and _____ feet from the intersection of _____

2. Zone or use district in which premises are situated _____ Is property a flood zone? Y _____ N _____

3. Tax Map Description: Section 16 Block 2 Lot 4

4. State existing use and occupancy of premises and intended use and occupancy of proposed construction.

a. Existing use and occupancy _____ b. Intended use and occupancy _____

5. Nature of work (check if applicable) ☐ New Bldg ☐ Addition ☐ Alteration ☐ Repair ☐ Removal ☐ Demolition ☒ Other

6. Is this a corner lot? _____

Existing Finished
Basement

7. Dimensions of entire new construction. Front _____ Rear _____ Depth _____ Height _____ No. of stories _____

8. If dwelling, number of dwelling units: _____ Number of dwelling units on each floor _____

Number of bedrooms _____ Baths _____ Toilets _____ Heating Plant Gas _____ (H)
Electric/Hot Air _____ Hot Water _____ If Garage, number of cars _____

9. If business, commercial or mixed occupancy, specify nature and extent of each type of use _____

10. Estimated cost _____ \$ _____

1,500.00

PAID
467 (467)
11/27/00

11 127 1 00
date

APPLICATION FOR BUILDING PERMIT
TOWN OF NEW WINDSOR, ORANGE COUNTY, NEW YORK
Pursuant to New York State Building Code and Town Ordinances

Building Inspector: Michael L. Babcock
Asst. Inspectors Frank Lisi & Louis Krychear
New Windsor Town Hall
555 Union Avenue
New Windsor, New York 12553
(914) 563-4618
(914) 563-4693 FAX

Bldg Insp Examined _____
Fire Insp Examined _____
Approved _____
Disapproved _____
Permit No. _____

INSTRUCTIONS

- A. This application must be completely filled in by typewriter or in ink and submitted in duplicate to the Building Inspector.
- B. Plot plan showing location of lot and buildings on premises, relationship to adjoining premises or public streets or areas, and giving a detailed description of layout of property must be drawn on the diagram, which is part of this application.
- C. This application must be accompanied by two complete sets of plans showing proposed construction and two complete sets of specifications. Plans and specifications shall describe the nature of the work to be performed, the materials and equipment to be used and installed and details of structural, mechanical and plumbing installations.
- D. The work covered by this application may not be commenced before the issuance of a Building Permit.
- E. Upon approval of this application, the Building Inspector will issue a Building Permit to the applicant together with approved set of plans and specifications. Such permit and approved plans and specifications shall be kept on the premises, available for inspection throughout the progress of the work.
- F. No building shall be occupied or used in whole or in part for any purpose whatever until a Certificate of Occupancy shall have been granted by the Building Inspector.

APPLICATION IS HEREBY MADE to the Building Inspector for the issuance of a Building Permit pursuant to the New York Building Construction Code Ordinances of the Town of New Windsor for the construction of buildings, additions, or alterations, or for removal or demolition or use of property as herein described. The applicant agrees to comply with all applicable laws, ordinances, regulations and certifies that he is the owner or agent of all that certain lot, piece or parcel of land and/or building described in this application and if not the owner, that he has been duly and properly authorized to make this application and to assume responsibility for the owner in connection with this application.

X Helen L. Startecky
(Signature of Applicant)

3 Lucas, Jr.
(Address of Applicant)

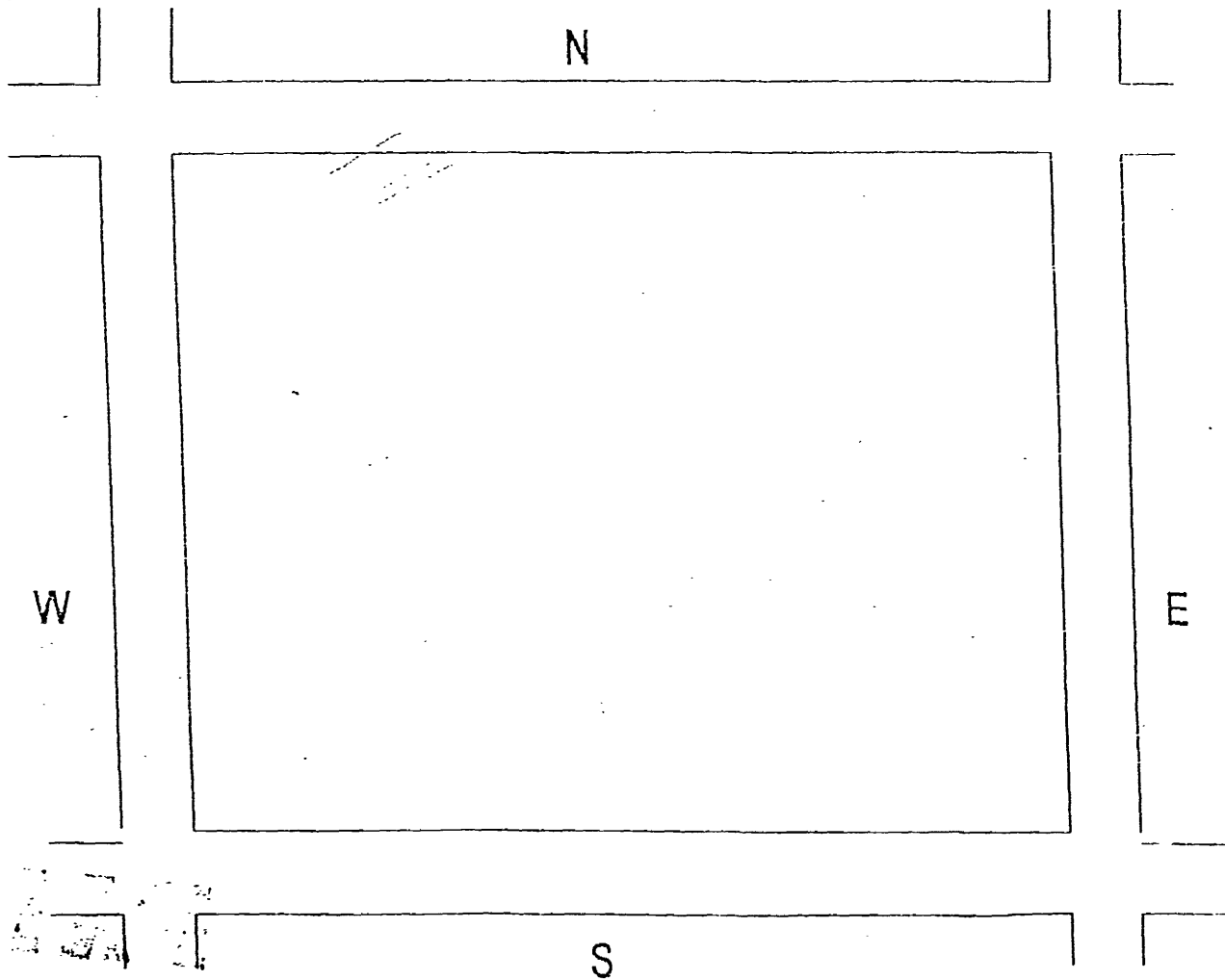
X Helen L. Startecky
(Owner's Signature)

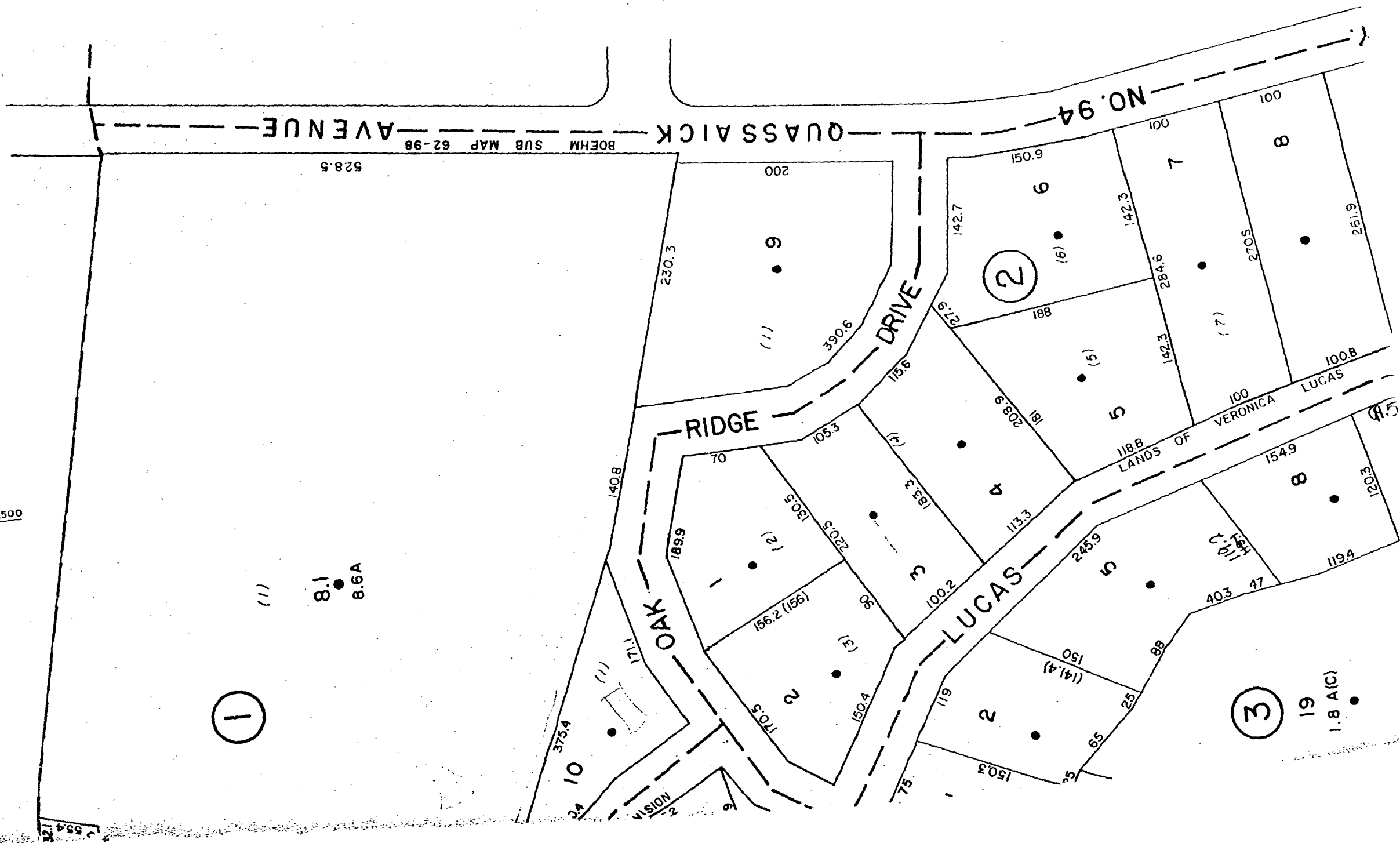
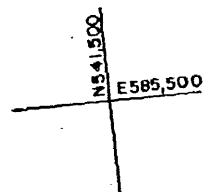
3 Lucas, Jr.
(Owner's Address)

PLOT PLAN

NOTE:

Locate all buildings and indicate all set back dimensions. Applicant must indicate the building line or lines clearly and distinctly on the drawings.





ZBA MEETS ON THE 2ND AND 4TH MONDAY OF EACH MONTH UNLESS A HOLIDAY FALLS ON THAT DATE. JULY AND AUGUST: ONE MEETING PER MONTH ONLY.

PROCEDURE FOR A PUBLIC HEARING

Preparations for a public hearing are relatively simple **IF YOU READ AND FOLLOW THIS PROCEDURE:**

Step 1 - Order a variance list from the Assessor's Office. A deposit of \$25.00 payable to TNW must be paid in advance for this list. This list is necessary for the mailing of notices to all property owners within 500 feet of your property. The total fee for this list is based on the number of names and addresses on your list.

Step 2 - While awaiting the preparation of the list, fill out the Application and Public Notice of Hearing (leave date blank) which you received at the preliminary meeting before ZBA.

Step 3 - When the list is completed, the Assessor's office will call you. Using the list, address an envelope for each, add your return address and a first-class stamp and hold. These will be used to forward the hearing notices to all of the adjacent property owners.

Step 4 - Call Pat at 563-4630 and MAKE AN APPOINTMENT to come in with your completed paperwork. At this time also bring with you a copy of your deed or contract of sale, title report (if you have one), photos, completed applications, public hearing notice, addressed/stamped envelopes, and fees payable to the Town of New Windsor. A HEARING DATE WILL NOT BE SCHEDULED UNLESS ALL OF THE PAPERWORK IS COMPLETED AND RETURNED WITH THE FEES TO THE SECRETARY.

Step 5 - The Public Notice of Hearing must be published in the local paper one time, ten days prior to the hearing date. Secretary will make arrangements for the publication of the notice. Applicant is responsible for the payment of publication. Secretary will fill in the date of public hearing on notice when all paperwork is received.

Step 6 - Once the Secretary has had an opportunity to review the hearing notice, she will add the hearing date and you may then insert the completed public hearing notice in each of the prepared envelopes, seal each envelope and bring back to Pat in the order in which they appear on the list. She will then compare the envelopes with the list, if it checks out, she will prepare an Affidavit of Mailing and mail the envelopes out. Notices must be postmarked at least 10 days before the hearing date.

Step 6 - Prepare two separate checks both payable to the Town of New Windsor, one in the amount of \$50.00 (residential) or \$150.00 (commercial) which is the variance application fee, and a second check in the sum of \$300.00 (residential) or \$500.00 (commercial). The second sum will be held in escrow pending the deduction of fee for stenographic services and attorney's fee for the handling of your file.

APPLICANT'S CHECK LIST:

1. Applications (3 copies);
2. Public notice of hearing;
3. Envelopes with names/addresses of adjacent property owners, stamped and ready for notice to be inserted;
4. Fees;
5. Copy of deed or contract of sale, title report, photographs of site.

IMPORTANT NOTE: If your application is approved by the ZBA, you have one (1) year from the date of approval within which to pursue your building plans. A variance becomes null and void after this period. If you are not planning to build within this time frame, you must apply to the ZBA before this date expires to seek an extension of this variance.

**PATRICIA A. CORSETTI, SECRETARY
ZONING BOARD OF APPEALS
Town Hall - 555 Union Avenue
New Windsor, N. Y. 12553
(845)563-4630 - FAX (845)563-4692**